**THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION No.20244 of 2006**

**Date: 27.02.2007**

Between:

M.Laxmaiah.

....Petitioner

And

The Licencing Authority, Regional Transport Authority, Hyderabad East Zone, Moosrambagh, Hyderabad.

....Respondent

**THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION No.20244 of 2006**

**O R D E R:**

Petitioner is employed as a Driver in A.P.S.R.T.C. His date of birth was entered in the service record as '15.06.1952'. He held a driving licence issued by the Regional Transport Authority, Hyderabad East Zone, in which his date of birth was mentioned as '02.08.1944'. It is stated that the employer is not permitting the petitioner to attend the duties, on the ground that there is serious discrepancy, as to the date of birth in the driving licence on the one hand and the service record on the other. Petitioner states that he made an application to the respondent herein, with a prayer to correct the date of birth in the driving licence, duly enclosing the certificates issued by the school etc., and complains that no action has been taken thereon.

Respondent filed a counter affidavit, stating that the petitioner was issued driving licence way back in the year

1983 and the date of birth furnished by him was entered in it. It is also stated that as recently as on 21.06.1006, the driving licence of the petitioner was renewed, and even at that time, he did not raise any objection.

Heard the learned counsel for the petitioner and the learned counsel for the respondent.

The driving licence of the petitioner was issued, on the basis of the particulars furnished by him. The Motor Vehicles Act and the Rules made thereunder do not provide for correction of particulars therein. The entries made in a driving licence, particularly the one relating to date of birth, do not have any bearing on the tenure of service of an employee. The reason is that the age of an employee is to be decided on the basis of the entries made in the relevant school records and register of birth etc. The respondent cannot be found fault with, for not acceding to the request of the petitioner.

Accordingly, the Writ Petition is disposed of, leaving it open to the petitioner to pursue the matter with the employer, and by directing that the date of birth entered in the driving licence shall not be taken as conclusive proof, for the purpose of his service. There shall be no order as to costs.

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27.02.2007

JSU